SYSTEMS AND METHODS FOR TRACKING
EMPLOYEE LEAVES UNDER THE FMLA

BACKGROUND OF THE INVENTION

This invention relates generally to government regulation and more specifically to methods and systems for providing compliance with rules under the Family Medical Leave Act.

A company and company employees desire prompt and accurate assessment of leave requests under the Family Medical Leave Act (FMLA). Known FMLA assessment and evaluation methods have several disadvantages. For example, FMLA assessment and evaluation methods are largely paper-based. When using such methods, the tracking of granted leaves and leave requests by company and by employee is difficult and labor intensive. Multiple employees provide leave information in the form of leave requests, and the accuracy of the information depends on the experience and knowledge of the employees. In addition, using known methods and systems can be time consuming, requiring a significant amount of human resources personnel time. This is due in part to the fact that known systems and methods do not allow for easy retrieval of archived data and have no reporting capability. Therefore, every leave request involves additional research.

It would be desirable to provide methods and systems that provide guidance and an efficient way to ensure compliance with governmental rules such as those rules of the FMLA without the investment of time and resources commonly needed for known methods and systems.

BRIEF SUMMARY OF THE INVENTION

The present invention, in one aspect, is a method for processing and tracking requests for leave under the Family Medical Leave Act (FMLA). The method includes the steps of filing a FMLA leave request form, providing to the employee a conditional approval and a medical certification form to a named medical provider, receiving the completed medical certification form, and forwarding a final decision to the employee.

In another aspect, the present invention is a system that includes a computerized tool to facilitate the transfer of leave requests and associated

information between an employee, a company and a medical care provider. The system includes at least one server configured with a database of FMLA forms. The system further includes at least one computer which can access the server for uploading and downloading forms.

BRIEF DESCRIPTION OF THE DRAWINGS

5   Figure 1 is a system block diagram;

Figure 2 is a flow chart diagramming an employee leave request and approval process;

Figure 3 is an example of an initial leave request form;

Figure 4 is an example of an employee certification form; and

10   Figure 5 is an example of a certification form for a family member of an employee.

DETAILED DESCRIPTION OF THE INVENTION

The present invention, in one aspect, is a method for prompt and accurate evaluation of whether an employee request for leave under the Family Medical Leave Act (FMLA) should be approved. In one embodiment, the method is

15   implemented as a computerized method which reduces manual effort expended in conducting FMLA leave request evaluations and further reduces the potential for human error.

More specifically, Figure 1 illustrates a system 10 in accordance with one embodiment of the present invention. System 10 includes a computer configured

20   as a server 12 and a plurality of other computers 14 coupled to server 12 forming a network of computers. In the embodiment shown, computer 14 is a computer including a web browser, but may be any client system capable of being interconnected to a network through many interfaces including dial-in-connections, cable modems, special high-speed ISDN lines and networks such as local area

25   networks (LANs) or wide area networks (WANs), including an intranet or the Internet. Computer 14 could be any client system capable of interconnecting to the Internet including a web based digital assistant, a web-based phone or other web-based connectable equipment. In another embodiment, server 12 is configured to

accept FMLA leave request information over a telephone, for example, at least one of a voice responsive system where a user enters spoken FMLA information, or by a menu system where a user enters requested FMLA information using the touch keys of a telephone as prompted by server 12. In other contemplated embodiments, system 10 employs two or more of server 12 within the network of computers.

Server 12 is configured to read input data relating to a request for leave under the FMLA. In one embodiment, server 12 is configured with a user interface including web pages for use as data entry forms which a user can access and view using a web browser from one of computers 14. The web pages can be printed by a user or, alternatively, the user may input pertinent data into the web page for uploading to server 12. System 10 therefore allows access from any one of computers 14 to an FMLA database 16. System 10 allows a user to input and upload data relating to a request for leave and supporting data relating to the request for leave. Uploaded user data, for example, length of employment of an employee, are compared with current company employee data which are stored, along with the web pages, in database 16 within server 12. In one embodiment, a user may dial or directly login to the Intranet or Internet to gain access. Each computer 14 includes an interface for communicating with server 12. A computerized leave request evaluation tool, as described below in more detail, is stored in server 12 and can be accessed by a requester at any one of computers 14. In one embodiment, the data may be submitted to server 12 via the Internet. In another embodiment, the data may be submitted via an Intranet.

Referring to Figure 2, a flow chart 20 for process steps executed in creating a leave request under the FMLA and subsequent steps leading up to approval or dismissal are shown. More specifically, a requester for leave can submit 22 an initial FMLA leave request form (described below) to create a new leave request. In one embodiment the leave request is uploaded from one of computers 14 to server 12.

Upon receipt of the request the employee is returned 24 a conditional approval, if the employee is entitled to leave under the FMLA. Conditions for FMLA leave include, but are not limited to, the person requesting leave has to be an actual company employee, who has been employed by the company for a specified length of time, and works a requisite number of hours. Additionally it is possible that an employee has used up all leave time under the FMLA, therefore no conditional approval would be returned, but rather a disapproval of the FMLA request.

In one embodiment, the conditional approval is a letter mailed to the employee. In another embodiment, the conditional approval is E-mailed to the employee. In addition, the employee is also supplied one of two alternative medical certification forms, either by mail or E-mail, one covering the employee or another covering a family member of the employee. The medical certification form received is dependent upon the leave requested, leave for employee medical conditions or leave for a medical condition of a qualifying family member of the employee. In an alternative embodiment, forms are sent to the employee electronically, that is, server 12 downloads to the employee the conditional approval and medical certification forms and employee accesses the forms at one of computers 14.

The employee then submits 26 the medical certification form to a medical care provider. In one embodiment, submission of the medical certification form is manual, for example, hand delivery during an office visit to the medical care provider. An alternative is delivery by a mail system such as the postal service. In another alternative embodiment, the medical certification form is electronically mailed to the medical care provider, either in addition to, or instead of being sent to the employee as described above. In an alternative embodiment, the medical care provider can access server 12 (shown in Figure 1), for example, via the Internet, and download the medical certification forms.

The medical care provider completes the medical certification form, either electronically or by hand, and then returns 28 the medical certification form, either electronically or through the mail, to the proper person or group handling FMLA leave requests for the particular company. In still another alternative embodiment, server 12 is configured to accept FMLA certification information over a telephone, for example, by either of a voice responsive system where a medical care provider enters spoken FMLA recommendation information, or by a menu system where a medical care provider enters an FMLA recommendation using the touch keys of a telephone as prompted by server 12.

Once the completed medical certification form has been returned to the company, electronically, on paper, or via telephone, the form is verified to make sure the medical provider has determined that a medical leave is appropriate for the particular employee situation. In one embodiment and as described above, server 12 is configured to upload and store within database 16 entered data from the medical certification form. Data from the medical certification form is either entered by hand

from a paper medical certification form or stored directly from an electronic submission of a medical certification form.

If the request for leave is in order based upon a recommendation of the medical care provider, and if the employee is entitled to leave under existing FMLA rules, the employee is notified 32 that the request for leave under the FMLA is approved. Alternatively, if the request for leave is not in compliance with existing FMLA rules for leave, or if the medical care provider has determined that leave is not appropriate in a given situation, the employee is notified 34 that the request for leave under the FMLA has been denied. One example of a request not being in compliance with current FMLA rules is that leave is not allowed for the medical care of one's sibling. Alternatively, care of one's spouse is a valid reason for a FMLA leave request.

Requests for leave are tracked by system 10 in database 16 (both shown in Figure 1) so that a company can accurately track how much FMLA time individual employees have remaining based on current FMLA rules, for example, the number of days of leave allowed over a calendar year.

Referring to Figure 3, an exemplary embodiment of an initial FMLA leave request form 50 is shown. In one embodiment, form 50 is configured to be stored within server 12 (shown in Figure 1) as a web page. In other embodiments, form 50 is a paper form or a form printed from a computer database of forms, such as database 16 (shown in Figure 1).

In the embodiment shown in Figure 3, form 50 includes three sections, an employee information section 52, a reason for leave section 54 and a leave type section 56. Employee information section 52 includes employee personal data such as employee name 58, address 60, telephone number 62, social security number 64 and a date of submission 66. Also included is employee company data including a hire date 68, a name of the employee's manager 70, manager's telephone number 72, a name of the employee's human resources representative 74 and that person's telephone number 76, employee work location 78, employee work telephone 80 and employee work schedule 82. A check box 84 is included for marking if the employee is applying for a disability benefit.

Sometimes health conditions arise where an employee is entitled to leave under the FMLA, but those health conditions arise so quickly and severely that

the employee is unable to access or fill out form 50. In anticipation of such circumstances, FMLA rules allow other persons, for example, a spouse, a manager, or a human resources representative, to complete form 50 on the employee's behalf. The above examples are illustrative only and are not to be considered exhaustive. To efficiently deal with such situations, information section 52 further includes fields where a person filling out the form for the employee enters their name 86 and business affiliation 88.

Still referring to Figure 3, reason to leave section 54 of form 50 includes short explanations describing the medical situations that qualify for leave under the FMLA. Checkboxes associated with each qualifying medical situation are included for the convenience of the person completing the form. In one embodiment, situations and the associated check boxes include, hospital stays and recovery times 90, pregnancy and prenatal care 92, newborn or newly adopted child care 94, personal illness 96, personal illness with continuing treatment 98, and illnesses that are incapacitating 100. If the requested leave is for a pregnancy, an expected delivery date field 104 is provided. Other situations that are covered by the FMLA include certain of the above enumerated qualifying medical situations for an eligible family member. A field 106 is provided so that the family members name and relationship to the employee may be entered.

Again referring to Figure 3, type of leave section 56 of form 50 falls into three categories under the FMLA. Section 56 includes a full or continuous leave selection 108 including a begin date 110 and an end date 112. A reduced schedule selection 114 includes reductions for hours/day 116, hours/week 118 and days/week 120 and further includes a begin date 122 and an end date 124 for the reduced schedule. An intermittent leave 126 allows for sporadic and repeated absences for a recurring medical condition and includes a beginning date 128 and an ending date 130 which is limited to one calendar year from beginning date 128.

In one embodiment, after the employee or substitute completes entries into the above described fields, the request is uploaded and stored within database 16 in server 12. Employees in an FMLA servicing center, for example, a human resources department, are notified of the new leave request so that a conditional approval letter, if the employee is eligible for leave under the FMLA, and a medical certification form can be generated and forwarded to the requesting employee. Alternatively, system 10 is configured to automatically download to an employee a

conditional approval, if the employee is eligible for leave, and a medical certification form upon receipt and storage of the leave request. In another embodiment, system 10 generates a medical certification form and conditional approval letter to be mailed to the requesting employee.

5   Typically, and in one embodiment, a "button" (not shown) on a computer display labeled "SUBMIT", or another like term, is utilized to upload the leave request to the FMLA servicing center and to inform FMLA servicing center employees of the existence of the leave request.

10   Referring now to Figure 4, an exemplary embodiment of an employee medical certification form 140 is shown. Employee medical certification form 140 includes similar information as does form 50 (shown in Figure 3). Included in Form 140 are a reason for leave 142, dates of leave 144 and a signature stamp 146. An employee name 148 and social security number 150 are also included for identification purposes. Reasons for leave 142 include a plurality of check boxes, 15 similar to those described above in Figure 3, to be filled in by a medical provider who is instructed to check or mark as any as applicable and appropriate for a pregnancy, medical condition, or a hospital stay. Dates of leave 144 include fields for entry of continuous, reduced hours and intermittent leave like the fields described in Figure 3, the fields to be filled in by the medical care provider.

20   Signature stamp 146 includes fields which identify the medical care provider to the FMLA servicing center and include a signature field 152, a physician telephone number 154, a physician facsimile number 156, a printed physician name 158, a type of practice 160 the physician is engaged in, and physician address information 162.

25   Figure 5 is an exemplary embodiment of a family member medical certification form 170. Family member medical certification form 170 includes all the same fields and information as does form 140 (shown in Figure 4). In addition, form 170 includes fields to identify a patient name 172 and a patient relationship 174 to the requesting employee.

30   Upon receipt or upload of one of form 140 or 170, information contained in form 140 and 170 is checked for a medical provider recommendation and whether or not the requested time of leave from the employee, as found on form 50 and in the conditional approval, agrees with the amount of leave recommended by

form 140 or 170, whichever applies to the particular case. If the medical care provider, or physician, agrees that a leave is warranted under the FMLA, the FMLA servicing center will forward to the employee an approval of leave for the time recommended by the physician, or the leave time the employee has remaining, whichever is shorter. If the physician determines that no leave is warranted, the employee is notified that his or her request for a leave under the FMLA has been denied, including reasons for denial. Again the notifications are electronic in nature, such as electronic mailings, or may be in paper form and deliverable through regular mail.

The methods and systems herein described provide a company with tools for consistent application of the conditions for leave under the FMLA. In addition, the methods and systems provide a mechanism for the tracking of employee FMLA requests while also making the process of applying for a leave simpler for the employees and the companies trying to administer leaves under the FMLA.

While the invention has been described in terms of various specific embodiments, those skilled in the art will recognize that the invention can be practiced with modification within the spirit and scope of the claims.